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Department of Agriculture and Forestry Office of the Commissioner

Lifting of Quarantine on Out-of-State Apiaries

In accordance with the Administrative Procedure Act, R.S. 49:953 et seq., and R.S. 3:2303 and 3:2304, the Commissioner of Agriculture and Forestry hereby exercises the powers granted to him by R.S. 3:2303 and 2304, lifting the quarantine imposed by the commissioner on out-of-state apiaries to control the small hive beetle. This Quarantine was enacted on February 1, 1999 and published in the *Louisiana Register*, Vol. 25, No. 2, page 392. The lifting of the quarantine on out-of-state apiaries to control the small hive beetle becomes effective immediately, March 3, 2004.

Bob Odom
Commissioner

0403#026

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Department of Environmental Quality Office of Environmental Assessment Environmental Planning Division

Water Quality Management Plan Volume 1: Continuing Planning Process

Under the authority of the Environmental Quality Act, R.S. 30:2071 et seq., the secretary gives notice that procedures have been initiated to amend Volume 1 of the Louisiana Water Quality Management Plan (WQMP).

The Louisiana Water Quality Management Plan is a document associated with water quality management activities carried out by the state to assist in implementation of the Louisiana Water Quality Regulations, LAC 33:Part IX, and the federal Clean Water Act. The WQMP is divided into volumes. Each volume addresses different issues. Updates and changes to the different volumes are made periodically. Volume 1 of the WQMP is entitled *The Continuing Planning Process* (CPP). The CPP specifies the various processes that the state employs to manage its water quality programs. The last revision to the CPP, Volume 1 of the WQMP, identified by log number 0209Pot2 in the September 20, 2002, issue of the *Louisiana Register*, was approved by the Environmental Protection Agency in a letter from Miguel I. Flores, Director, Water Quality Protection Division, USEPA 6, to L. Hall Bohlinger, Secretary, LDEQ, dated March 28, 2003. These proposed changes to the CPP are intended to clarify the minor differences in the certification and approval process between changes to regulations and changes to the WQMP/CPP.

A public hearing on these proposed changes will be held on April 26, 2004, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room C111, 602 N. Fifth Street,

Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed changes. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available across the street in the Galvez parking garage when department personnel at the hearing validate the parking ticket.

All interested persons are invited to submit written comments on the proposed amendments to the CPP. Such comments must be received no later than May 3, 2004, at 4:30 p.m., and should be sent to Kimberly Hamilton-Davis, Office of Environmental Assessment, Environmental Planning Division, Standards, Assessment and Nonpoint Section, Box 4314, Baton Rouge, LA 70821-4314 or to fax (225) 219-3582 or by e-mail to kimberly.hamilton-davis@la.gov. A copy of this proposal can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy.

This proposed document is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 111 New Center Drive, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.louisiana.gov/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

0403#079

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Office of the Governor Oil Spill Coordinator's Office

Lake Palourde Oil Spill

The Louisiana Oil Spill Coordinator's Office (LOSCO) as the trustee coordinator for the state of Louisiana, in consultation and agreement with the state natural resource trustees, namely the Louisiana Department of Environmental Quality (LDEQ), the Louisiana Department of Wildlife and Fisheries (LDWF); and the federal natural resource trustee, the U.S. Department of the Interior (USDOI), represented by the U.S. Fish and Wildlife Service (USFWS), have determined that the impacts of the discharges of crude oil from two pipelines, over which such trustees have jurisdiction, warrant conducting a natural resource damage assessment that will include restoration planning.

Site and Release Information

On undetermined dates, two separate pipelines, owned and operated by Union Oil Company of California (Unocal), discharged undetermined amounts of crude oil into East

Lake Palourde's cypress-tupelo swamp and surrounding float marsh in Assumption Parish, Louisiana. An undetermined amount of alluvial river swamp flora and fauna inhabiting this area may have been exposed to crude oil as a result of these discharges. The trustees have determined that Unocal is the Responsible Party (RP) for these incidents.

East Lake Palourde is bordered by extensive acreage of forested wetlands. This forested wetland, or swamp, is composed of an over story of bald cypress and water tupelo trees and an under story of young trees and shrubs, with the water surface mostly covered by fresh float marsh. This cypress-tupelo swamp is valuable habitat for numerous species of fauna and provides many ecological services to other resources.

Aquatic species present include, but are not limited to, finfish, such as catfish, sunfish, bass, and crappie, reptiles, and crustaceans such as crawfish. Wildlife species that may be present in the East Lake Palourde swamp area include, but are not limited to, resident and migratory birds and furbearers. Some of the species that may be present have threatened or endangered status.

Authorities

The trustees are designated pursuant to 33 U.S.C. §2706(b), Executive Order 12777, and the National Contingency Plan, 40 C.F.R. §§300.600 and 300.605. Pursuant to R.S. 30:2460, the State of Louisiana Oil Spill Contingency Plan, September 1995, describes state trust resources, including the following: vegetated wetlands, surface waters, ground waters, air, soil, wildlife, aquatic life, and the appropriate habitats on which they depend. The USDOJ, through the involvement of USFWS, is trustee for natural resources described within the National Contingency Plan, 40 C.F.R. §300.600(b)(2) and (3), which include the following and their supporting ecosystems: migratory birds, anadromous fish, endangered species, federally owned minerals, certain federally managed water resources, and natural resources located on, over, or under land administered by USDOJ.

Trustees' Determinations

Following the notice of the discharge, the trustees have made the following determinations required by 15 C.F.R. §990.41(a):

The natural resource Trustees have jurisdiction to pursue restoration pursuant to the Oil Pollution Act (OPA), 33 U.S.C. §§2702 and 2706(c) and the Oil Spill Prevention and Response Act (OSPR), R.S. 30:2451, et seq. The trustees have further determined that the discharges of crude oil into East Lake Palourde's surrounding swamp on the undetermined dates, were incidents, as defined in 15 C.F.R. §990.30 and LAC 43:XXIX.109.

These discharges were not permitted under state, federal, or local law.

These discharges were not from a public vessel.

These discharges were not from an onshore facility subject to the Trans-Alaska Pipeline Authority Act, 43 U.S.C. §1651, et seq.

Natural resources under the trusteeship of the natural resource trustees listed above may have been injured as a result of the incident. The crude oil discharged contains components that may be toxic to aquatic organisms, birds,

wildlife and vegetation. Vegetation, birds, and aquatic organisms may have been exposed to the oil from these discharges, and mortalities to some flora and fauna and lost ecological services may have resulted from these incidents.

Because the conditions of 15 C.F.R. §990.41(a) were met, as described above, the Trustees made the further determination pursuant to 15 C.F.R. §990.41(b) and LAC 43:XXIX.101 to proceed with pre-assessment. Unocal, at the invitation of the Trustees, agreed to participate in the pre-assessments, pursuant to 15 C.F.R. §990.14(c) and LAC 43:XXIX.115.

Determination to Conduct Restoration Activities

For the reasons discussed below, the natural resource Trustees have made the determinations required by 15 C.F.R. §990.42(a) and are providing notice pursuant to 15 C.F.R. §990.44 and LAC 43:XXIX.123 that they intend to conduct restoration planning in order to develop restoration alternatives that will restore, replace, rehabilitate, or acquire the equivalent of natural resources injured and/or natural resource services lost as a result of these incidents.

Injuries have resulted from these incidents, the extent of which has not been fully determined at this time. The Trustees base this determination upon data, which is collected and analyzed pursuant to 15 C.F.R. §990.43 and LAC 43:XXIX.119, which demonstrate that resources and services have been injured from these incidents. Natural resources injured as a result of the discharges and the response actions may include, but are not limited to, sediment infauna, forested wetlands, birds, and wildlife species.

Although response actions were pursued, the nature of the discharges and the sensitivity of the environment precluded prevention of some injuries to natural resources. The trustees believe that injured natural resources could return to baseline through natural or enhanced recovery, but interim losses have occurred and will continue to occur until a return to baseline is achieved.

Feasible compensatory restoration actions exist to address injuries from these incidents. Restoration actions that could be considered include, but are not limited to: replanting native wetland vegetation in appropriate areas, creation, enhancement, or protection of forested wetlands, protection of endangered species, and creation of bird colony areas.

Assessment procedures are available to evaluate the injuries and define the appropriate type and scale of restoration for the injured natural resources and services. Among these procedures are habitat injury assessment studies to be used in conjunction with the Habitat Equivalency Analysis, to determine compensation for injuries to swamp habitat. Models, comparisons to observations of injury resulting from similar releases, and/or other methodologies are available for evaluating injuries to the ecosystem.

Public Involvement

Pursuant to 15 C.F.R. §990.44(c) and LAC 43:XXIX.135, the trustees seek public involvement in restoration planning for this discharge, through public review of and comments on the documents contained in the administrative record, which is maintained in the Louisiana Oil Spill Coordinator's Office, as well as on the draft plan when completed.

For more information, please contact the Louisiana Oil Spill Coordinator's Office, State Office Building, 150 3rd Street, Suite 405, Baton Rouge, LA, 70801; phone (225) 219-5800 (Attn: Oil Spill/Gina Muhs Saizan).

The Louisiana Oil Spill Coordinator, as the lead administrative trustee, and on behalf of the natural resource trustees of the state of Louisiana and USDOJ/USFWS, pursuant to the determinations made above and in accordance with 15 C.F.R. §990.44(d) and LAC 43:XXIX.135, hereby provides Unocal this Notice of Intent to conduct restoration planning and invites their participation in conducting the restoration planning for these incidents.

Roland J. Guidry
Louisiana Oil Spill Coordinator

0403#067

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Department of Health and Hospitals Office of Public Health

Stage 1? Disinfectants and Disinfection By-Products Rule
(LAC 51:XII.101, 311, 367, 1103,
1110-1112, 1115, Chapters 13 and 15)

A Notice of Intent concerning the above referenced proposed Rule was published on October 20, 2003 in the *Louisiana Register* (see LR 29:2165-2174). Written comments on the proposed Rule were received and a public hearing was held on November 25, 2003. Based upon such comments, the department has decided to amend certain

portions of the proposed Rule. At least one of these changes may be considered to be substantive to the parties to be regulated; therefore, in accord with the Administrative Procedure Act, specifically R.S. 49:968(H)(2), notice is hereby given that the department will hold a public hearing on the substantive changes. The public hearing will be held at 10 a.m. on Tuesday, April 20, 2004, in Room 118 of the Blanche Appleby Computer Complex Building (on the Jimmy Swaggart Ministries Campus), 6867 Bluebonnet Blvd., Baton Rouge, LA. All interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Any questions concerning this notice may be directed to Mr. Bobby Savoie, Deputy Assistant Secretary, DHH/OPH/Center for Environmental Health Services, at (225) 763-3590.

Frederick P. Cerise, M.D., M.P.H.
Secretary

0403#051

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Department of Natural Resources Office of Conservation

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
McMoran Exploration Company	So. La. New Orleans District	L	E. P. Brady	1	137591
Samedan-Empire	Bayou De Fleur	L	Brady Estate	1	128597
Temple Hargrove et al.	Golden Meadow	L	Mrs. Leon Theriot	1	060294
Pioneer Oil & Gas Co., Inc.	Boutte	L	Joseph Rathborne Land Co., Inc	1	078858
L. B. J. Co.	Alden Bridge	S	S. L. Herold et al.	1	189944
Ball Marketing, Inc.	Lake Arthur	L	Richard Miller	1	226455
Occidental Petroleum Corp.	So. La. New Orleans District	L	Laura S. Brady et al .	1	105655
Occidental Petroleum Corp.	So. La. New Orleans District	L	Laura S Brady et al.	2	106631
F. A. Callery, Inc	Bayou de Fleur	L	E. P. Brady et al	2	076312 (29)
Charles A. O'Niell	Golden Meadow	L	Tamplain & Talbot	1	046171
Midhurst Oil Corp.	Port Barre	L	J. S. Watkins	1	068423 (30)
W. R. Jennings, Jr.	Wildcat	M	Magee-Smith	1	205117
Houston Oil & Minerals Corp	Bayou des Glaisses	L	Wilbert Minerals Corp "B"	033	143755 (30)
Houston Oil & Minerals Corp	Bayou des Glaisses	L	Wilbert Minerals Corp "B"	033-D	144895 (30)

James H. Welsh
Commissioner

0403#066

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Department of Natural Resources Office of the Secretary Fishermen's Gear Compensation Fund

Loran Coordinates

In accordance with the provisions of R.S. 56:700.1 et seq., notice is given that 24 claims in the amount of \$89,584.82 were received for payment during the period January 1, 2004 through February 29, 2004. There were 22 claims paid and 2 claims denied.

Loran Coordinates of reported underwater obstructions are:

27680	46908	St. Mary
28645	46869	Jefferson

Latitude/Longitude Coordinates of reported underwater obstructions are:

2901.964	9057.602	Lafourche
2910.788	9104.228	Terrebonne
2912.314	9026.971	Terrebonne
2913.147	9026.479	Terrebonne
2916.305	9059.304	Terrebonne
2918.970	8950.460	Jefferson
2921.135	9000.425	Jefferson
2921.47	9015.072	Lafourche
2922.53	9001.286	Jefferson
2922.539	9043.799	Terrebonne
2924.460	9130.500	St. Mary
2936.061	8925.366	St. Bernard
2943.301	8948.001	Plaquemines
2944.147	8927.767	St. Bernard
2945.273	8942.611	St. Bernard
2950.15	8933.312	St. Bernard
2951.456	8941.055	St. Bernard
2958.233	8927.512	St. Bernard
3001.351	8931.304	St. Bernard
3009.008	8956.452	Orleans

A list of claimants and amounts paid can be obtained from Verlie Wims, Administrator, Fishermen's Gear Compensation Fund, P.O. Box 44277, Baton Rouge, LA 70804 or you can call (225) 342-0122.

Scott A. Angelle
Secretary

0403#074

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Department of Social Services Office of Community Services

Social Services Block Grant Intended Use Report

The Department of Social Services (DSS) announces opportunities for public review of the state's pre-expenditure report on intended uses of Social Services Block Grant (SSBG) funds for the state fiscal year (SFY) beginning July 1, 2004, and ending June 30, 2005. The proposed 2004-2005 SSBG intended use report has been developed in compliance with the requirements of Section 2004 of the Social Security Act, as amended, and includes information on the types of activities to be supported and the categories or characteristics of individuals to be served through use of the state's allocation of SSBG funds. Section 2004 of the Social Security Act further requires that the SSBG pre-expenditure report shall be made public within the state in such manner as to facilitate comment by any person. The DSS, as the designated state services agency, will continue to administer programs funded under the SSBG in accordance with applicable statutory requirements and federal regulations. The DSS/Office of Community Services (OCS) will be responsible for provision of social services, by direct delivery and vendor purchase, through use of federal SSBG funds. Estimated SSBG expenditures for SFY 2004-2005 total \$42,675,876.

Louisiana, through the DSS/OCS, will utilize its allotted funds to provide comprehensive social services on behalf of children and families in fulfillment of legislative mandates for child protection and child welfare programs. These mandated services, and certain other essential social services, are provided without regard to income to individuals in need. Individuals to be served also include low-income persons as defined in the intended use report who meet eligibility criteria for services provided through SSBG funding.

Services designated for provision through SSBG funding for state fiscal year 2004-2005 are:

A. Adoption (pre-placement to termination of parental rights)

B. Child Protection (investigation of child abuse/neglect reports, assessment, evaluation, social work intervention, shelter care, counseling, referrals, and follow-up)

C. Day Care for Children (direct care for portion of the 24-hour day as follow-up to investigations of child abuse/neglect)

D. Family Services (social work intervention subsequent to validation of a report of child abuse/neglect, counseling to high risk groups)

E. Foster Care/Residential Habilitation Services (foster care, residential care, and treatment on a 24-hour basis)

Definitions for the proposed services are set forth in the intended use report.

Persons eligible for SSBG funded services include:

A. Persons without regard to income, who are in need of adoption services, child protection, family services, and foster care/residential habilitation services.

B. Individuals without regard to income who are recipients of Title IV-E adoption assistance.

C. Recipients of supplemental security income and recipients of temporary assistance for needy families (TANF) and those persons whose needs were taken into account in determining the needs of TANF recipients.

D. Low-income persons (income eligibles) whose gross monthly income is not more than 125 percent of the poverty level. A family of four with gross monthly income of not more than \$1,964 would qualify as income eligible for services.

E. Persons receiving Title XIX (Medicaid) benefits and certain Medicaid applicants identified in the proposed plan as group eligibles.

Post expenditure reports for the SSBG program for state fiscal years 2001-2002 and 2002-2003 are included in the SSBG intended use report for SFY 2004-2005. The report is available for public review at all OCS parish and regional offices, Monday through Friday from 8:30 a.m. to 4 p.m. Free copies are available by telephone request to (225) 342-1553 or by writing to the Assistant Secretary, P. O. Box 3318, Baton Rouge, LA 70821.

Interested persons will have the opportunity to provide recommendations on the proposed 2004-2005 SSBG intended use report, at a public hearing scheduled for 10 a.m., Thursday, April 8, 2004, at the Office of Community Services, Commerce Building, 333 Laurel Street, Room 652, Baton Rouge, LA. Written comments should be directed to the Assistant Secretary of OCS at the above post office box

address. Comments must be received by the close of business Friday, May 7, 2004.

Ann S. Williamson
Secretary

0403#080

POTPOURRI

Department of Wildlife and Fisheries Office of Fisheries

Spotted Seatrout Management Measures

At its March 4, 2004 Meeting, the Wildlife and Fisheries Commission passed a Resolution to modify its January 8, 2004 Notice of Intent to reduce from five to two the number of spotted seatrout in excess of 25 inches which may be possessed by recreational fishermen in Calcasieu Lake, Sabine Lake and surrounding areas. (See original Notice of Intent, on page 159, *Louisiana Register*, January 20, 2004, for area description.) Because of this change, the commission resolved to hold the Notice of Intent open for public comment for an additional month. Therefore, the Wildlife and Fisheries Commission hereby solicits public comment regarding the proposed Rule, which comment will be taken into account at the commission's April meeting, at which time the commission will take final action on the Rule. Comments will be accepted until final adjournment of the April 1, 2004 Wildlife and Fisheries Commission Meeting. Written comments may be sent to Randy Pausina, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, prior to Thursday, April 1, 2004.

Bill A. Busbice, Jr.
Chairman

0403#048